

1	UNITED STATES DISTRICT COURT	
2	DISTRICT OF NEVADA	
3	DOMINIC RONALDO MALONE,	Case No. 2:24-cv-00865-RFB-DJA
4	Plaintiff	ORDER
5	v.	
6	JULIE WILLIAMS,	
7	Defendant	
8		

9 On May 8, 2024, pro se plaintiff Dominic Ronaldo Malone, an inmate in the custody
10 of the Nevada Department of Corrections, submitted a complaint under 42 U.S.C. § 1983.
11 (ECF No. 1-1). Plaintiff has neither paid the full \$405 filing fee for this matter nor filed an
12 application to proceed *in forma pauperis*. (See ECF No. 1).

13 Plaintiff filed a document titled “memorandum in support of filing civil rights
14 complaint by inmate without I.F.P. attached.” (ECF No. 1-3). In the memorandum,
15 Plaintiff states that because of lockdowns at the prison it is difficult for him to get the
16 documents to file an application to proceed *in forma pauperis* in a timely manner. (*Id.* at
17 1). Plaintiff states that his financial situation has not changed since previous cases that
18 he has brought, and he asks the Court to allow him to proceed without filing an application
19 to proceed *in forma pauperis*. (*Id.* at 1-2.)

20 Plaintiff must file a complete application to proceed *in forma pauperis* in order for
21 this case to proceed, and his request to have the complaint filed without an application to
22 proceed *in forma pauperis* is denied. The Court will give Plaintiff until July 15, 2024, to
23 file a complete application to proceed *in forma pauperis*. If Plaintiff cannot file a complete
24 application to proceed *in forma pauperis* by that deadline, he may request an extension.

25 I. **DISCUSSION**

26 The United States District Court for the District of Nevada must collect filing fees
27 from parties initiating civil actions. 28 U.S.C. § 1914(a). As of December 1, 2023, the fee
28 for filing a civil-rights action is \$405, which includes the \$350 filing fee and the \$55

1 administrative fee. See 28 U.S.C. § 1914(b). “Any person who is unable to prepay the
2 fees in a civil case may apply to the court for leave to proceed *in forma pauperis*.” Nev.
3 Loc. R. Prac. LSR 1-1. For an inmate to apply for *in forma pauperis* status, the inmate
4 must submit **all three** of the following documents to the Court: (1) a completed
5 **Application to Proceed *in Forma Pauperis* for Inmate**, which is pages 1–3 of the
6 Court’s approved form, that is properly signed by the inmate twice on page 3; (2) a
7 completed **Financial Certificate**, which is page 4 of the Court’s approved form, that is
8 properly signed by both the inmate and a prison or jail official; and (3) a copy of the
9 **inmate’s prison or jail trust fund account statement for the previous six-month**
10 **period**. See 28 U.S.C. § 1915(a)(1)–(2); Nev. Loc. R. Prac. LSR 1-2. *In forma pauperis*
11 status does not relieve an inmate of his or her obligation to pay the filing fee, it just means
12 that the inmate can pay the fee in installments. See 28 U.S.C. § 1915(b).

13 **II. CONCLUSION**

14 It is therefore ordered that Plaintiff has **until July 15, 2024**, to either pay the full
15 \$405 filing fee or file a fully complete application to proceed *in forma pauperis* with all
16 three required documents: (1) a completed application with the inmate’s two signatures
17 on page 3, (2) a completed financial certificate that is signed both by the inmate and the
18 prison or jail official, and (3) a copy of the inmate’s trust fund account statement for the
19 previous six-month period.

20 Plaintiff is cautioned that this action will be subject to dismissal without prejudice if
21 Plaintiff fails to timely comply with this order. A dismissal without prejudice allows Plaintiff
22 to refile the case with the Court, under a new case number, when Plaintiff can file a
23 complete application to proceed *in forma pauperis* or pay the required filing fee.

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1 The Clerk of the Court is directed to send Plaintiff Dominic Ronaldo Malone the
2 approved form application to proceed *in forma pauperis* for an inmate and instructions for
3 the same and retain the complaint (ECF No. 1-1) but not file it at this time.

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5 DATED this 16th day of May 2024.

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UNITED STATES MAGISTRATE JUDGE

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